

RESOLUTION NO. .

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA
ACTING AS THE GOVERNING BOARD OF THE SCENIC HEIGHTS COUNTY
SANITATION DISTRICT**

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**RESOLUTION AUTHORIZING THE PRESIDENT OF THE BOARD TO EXECUTE AN
AGREEMENT WITH CHRISTEN G. DIPETRILLO AND KYLE C. CADY (OWNERS)
FOR THE PROVISION OF SANITARY SEWER SERVICE FOR THEIR DEVELOPED
PROPERTY AT 83 EL VANADA ROAD IN THE UNINCORPORATED AREA OF SAN
MATEO COUNTY NEAR SAN CARLOS**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, acting as the Governing Board of the Scenic Heights County Sanitation District (Scenic Heights), that

WHEREAS, Christen G. DiPetrillo and Kyle C. Cady (Owners), own the developed property at 83 El Vanada Road - APN 051-440-080 (Property) within the unincorporated area of San Mateo County within the sphere of influence of the City of San Carlos (City); and

WHEREAS, Owners have applied to the City for sewer service for the Property as the San Mateo County Environmental Health Services Division has determined that the Owners' existing septic system that serves the Property is failing and cannot be repaired or improved to meet current standards; and

WHEREAS, the City has consented to provide sewage treatment service for the Property, but will not maintain sewer collection facilities that are outside of City's corporate limits; and

WHEREAS, the Property is not within Scenic Heights and is not currently eligible for annexation to City or Scenic Heights; and

WHEREAS, Paragraph c of California Government Code Section 56133 provides that the Local Agency Formation Commission (LAFCo) may authorize a city or special district to provide service outside its jurisdictional boundaries and outside its sphere of influence; and

WHEREAS, the City has adopted Resolution No. 2023-084 approving the application to the LAFCo to allow City to provide sewer service to the Property; and

WHEREAS, Scenic Heights owns the Hassler Sewer Line which transports sewage to the City for further transport and treatment; and

WHEREAS, Scenic Heights, County, Emerald Lake Heights Sewer Maintenance District, and the City entered into an agreement dated September 3, 1985 (1985 Agreement), which enumerates the terms and conditions for the transport and treatment of sewage from the Hassler Sewer Line and the payment therefore; and

WHEREAS, said agreement sets forth the area that is served by the Hassler Sewer Line; and

WHEREAS, the parties to the 1985 Agreement are concurrently considering an amendment to allow the Property to be served by said Hassler Sewer Line; and

WHEREAS, in order to facilitate the needed sewer service, the Director of Public Works of the County is recommending that an agreement between the Owners

and Scenic Heights be entered into which provides for the sewer service by Scenic Heights and the payment for said services by Owners; and

WHEREAS, this Board has considered and concurs in the recommendation of the Director of Public Works; and

WHEREAS, there has been presented to this Board a form of agreement to provide said services and the payment therefore and this Board has reviewed and considered same.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that:

1. The President of this Board be and is hereby authorized to execute said agreement for and on behalf of Scenic Heights once the amendment to the 1985 Agreement has been executed by all parties.
2. The Clerk of this Board shall:
 - a) attest to the signature of the President on said agreement; and
 - b) have the agreement recorded with the County Recorder's Office.

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